IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 388 (SS) of 2007

Vivek Kumar, aged about 19 years,
S/o late Sri Nirankar Singh,
R/o Village – Naya Gaon,
P.O. – Naugaonwa Sadat,
Police Station – Naugaonwa Sadat,
District – Jyotiba Phule Nagar,
Uttar Pradesh. **.....Petitioner.**

Versus

1. State of Uttarakhand through Principal Secretary (Home), Government of Uttarakhand, Civil Secretariat, Dehradun.
2. Director General of Police, Uttarakhand, Dehradun.
3. Superintendent of Police, Haridwar, Uttarakhand.

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Gauri Shankar Singh, learned counsel for the petitioner and Sri H.M. Raturi, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of Mandamus directing the respondents to provide appointment to the petitioner under Dying in Harness Rules in accordance with his educational qualification and further has prayed to direct the respondents to take decision on the representation of the petitioner dated 12.02.2007.

The stand of the petitioner is that father of the petitioner was expired on 17.11.1997 while working as Police Constable with the respondent department.

At the time of death of petitioner's father petitioner was 9 years old, consequently, mother of the petitioner made representation on 21.12.1997 for payment of retirel dues and family pension to her and to provide compassionate appointment to the petitioner after he attained age of majority. The mother of the petitioner is getting family pension.

After attaining age of majority and passing intermediate examination, petitioner applied for compassionate appointment with the respondents under Dying in Harness Rules vide representation dated 12.02.2007 which is still pending before respondent no. 1.

During the course of argument, learned counsel for the petitioner has confined his prayed that respondent no. 1 may be directed to take decision on the representation of the petitioner dated 12.02.2007 (Annexure No. 6 to the writ petition) within a period prescribed by this court.

The prayer is innocuous. Consequently, I direct the respondent n. 1 to take decision on the representation of the petitioner dated 12.02.2007 in accordance with law within a period of six weeks from the date of production of certified copy of this order.

With this direction, the writ petition as well as interim relief application is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

April 17, 2007
SKsharma